

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

JANET CLARK,

Plaintiff,

vs.

AVEANNA HEALTHCARE.,

Defendants.

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: Civil Action No.: 2:21-cv-1671
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NOTICE OF REMOVAL

TO THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF PENNSYLVANIA:

Defendant Aveanna Healthcare, pursuant to 28 U.S.C. §1446(a), hereby gives notice that it is removing this action to the United States District Court for the Western District of Pennsylvania, and as grounds therefore states as follows:

1. On or about November 10, 2021, Plaintiff Janet Clark (“Plaintiff”) filed a Civil Action Complaint in Allegheny County Court of Common Pleas, Pennsylvania, Case No. GD-21-2636 (“Complaint”), against Defendant Aveanna Healthcare (“Aveanna”). A true and accurate copy of Plaintiff’s Complaint is attached as **Exhibit A**.

2. Aveanna files this Notice of Removal within the 30-day period required by 28 U.S.C. § 1446(b).

3. According to Plaintiff’s Complaint, Plaintiff resides in Allegheny County, Pennsylvania.

4. Plaintiff alleges in her Complaint that Aveanna violated certain provisions of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e *et seq*, and the Age Discrimination in Employment Act of 1967.

5. Removal is proper based on Federal Question, 28 U.S.C. § 1331, as Plaintiff's claims arise under federal statutes.

6. There are no additional defendants named in this action.

7. All filings in the state court action are attached to this notice as required by 28 U.S.C. § 1446(a). The filings consist of the above-described **Exhibit A**.

8. Venue is proper in this Court under 28 U.S.C. § 1446(a) because this district and division embrace Allegheny County, Pennsylvania, where the removed action was pending.

9. In accordance with 28 U.S.C. § 1446 (d), Aveanna is providing written notice of the filing of this Notice of Removal to Plaintiff, and filing a copy with the Prothonotary of the Court of Common Pleas of Allegheny County, Pennsylvania.

CONCLUSION AND PRAYER

WHEREFORE, for the reasons contained herein, Aveanna respectfully prays this Court take jurisdiction of this action to its conclusion and final judgment, to the exclusion of any further proceedings in the Court of Common Pleas of Allegheny County, Pennsylvania.

Dated: November 15, 2021

Respectfully submitted,

GORDON & REES LLP

/s/ Jessica G. Lucas

Jessica G. Lucas, Esq.

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Attorney for Defendant Aveanna Healthcare

CERTIFICATE OF SERVICE

I, Jessica G. Lucas, Esq., do hereby certify that I served a true and correct copy of Defendant Aveanna Healthcare's NOTICE OF REMOVAL to Federal Court on this date via U.S.

Mail to the following:

Peter Kobylinski, Esquire
David Kobylinski, Esquire
PRAETORIAN LAW GROUP, LLC
515 Court Place, Suite 4
Pittsburgh, PA 15219
Counsel for Plaintiff

Date: November 15, 2021

/s/ Jessica G. Lucas
Jessica G. Lucas, Esq.